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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,237	07/10/2001	Andrew Tye Hunt	MCK-005.25-U	8868

24948 7590 01/06/2006

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EXAMINER

BELL, BRUCE F

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 01/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/889237

EXAMINER
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ART UNIT	PAPER
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01042006

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Commissioner for Patents

Applicant has requested correction of the inventors full name from "Andrew Type Hunt" to "Andrew Tye Hunt". The oath and declaration clearly shows that the inventor's middle name is "Tye" rather than "Type". Therefore, the correction has been made.

*Bruce Bell*

Bruce F. Bell  
Primary Examiner  
Art Unit: 1746

<b>Response to Rule 312 Communication</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/889,237	HUNT ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Bruce F. Bell	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 16 December 2005 under 37 CFR 1.312 has been considered, and has been:
- a) ☐ entered.
  - b) ☐ entered as directed to matters of form not affecting the scope of the invention.
  - c) ☒ disapproved because the amendment was filed after the payment of the issue fee.  
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
  - d) ☒ disapproved. See explanation below.
  - e) ☐ entered in part. See explanation below.

*The request for reconsideration has been denied. Applicants state that the 312 amendment was made on 3 March 2005 and that the issue fee was paid on 8 April 2004. The amendment was partially disapproved because the amendment came in after the issue fee was paid and a petition under 37 CFR 1.313 (c)(1) requires that a petition and fee accompany the amendment and that the application be withdrawn from issue. Further as stated to applicants representatives by the examiner, the claims add new matter as set forth in the previous response to the 37 CFR 1.312 communication. Applicants state that they are willing to propose new changes to overcome the disapproval of the 312 amendment, however, prosecution of the application is CLOSED, and any or all changes and or corrections require reconsideration by the examiner. In considering an amendment under 37 CFR 1.312, the amendment should not present any substantial amount of additional work on the part of the Office. Proposing changes would require the examiner to reconsider those changes and would present a substantial amount of time to determine if the changes present any new issues with respect to this application. An amendment under 37 CFR 1.312 adding claims even though dependent claims, will involve the examiner to consider any or all issues that maybe incorporated in those claims with respect to new matter, 35 USC 112 issues, and possible further searching to update the search should there be any issues that arise as a result of the addition of claims. Therefore, entry of the 37 CFR 1.312 amendment based on the request for reconsideration has been DISAPPROVED.*

  
**MICHAEL BARR**  
**SUPERVISORY PATENT EXAMINER**

Bruce F. Bell  
Primary Examiner  
Art Unit: 1746